

REMARKS

Applicant has studied the Office Action dated April 5, 2005 and has made amendments to the claims. It is submitted that the application, as amended, is in condition for allowance. By virtue of this amendment, claims 1-8 and 18-21 are pending. Claims 9-17 have been canceled without prejudice and claims 18-21 have been added.

Reconsideration and allowance of the pending claims in view of the above amendments and the following remarks are respectfully requested. In the Office Action, the Examiner:

- (1-2) Made the election requirement of non-elected claims 9-17 final;
- (3) Objected to claim 1 for various informalities; and
- (4) Indicated that claim 1 would be allowable if rewritten to overcome the objections of the informalities of claim 1.
- (5) Indicated that claims 2-8 would be allowable if rewritten in independent form.

Applicant notes that the Examiner has made the election requirement final and in response claims 9-17 have been cancelled without prejudice or disclaimer.

Claim 1 has been carefully amended as suggested by the Examiner to correct various informalities. The Applicant respectfully submits that claim 1 is allowable, which allowance is respectfully requested. Further, claim 1 now presented contains only those limitations as originally filed and this amendment to correct informalities does not narrow the scope of claim 1 within the meaning of *Festo*.¹

The Applicant also wishes to thank Examiner Lee for indicating the allowable subject matter of claims 1 and 2-8. With the amendment to independent claim 1 as suggested by the Examiner, claims 2-8 depend from independent claim 1. Since dependent

claims contain all the limitations of the independent claim 1, claims 2-8 should be allowable as well, which allowance is respectively requested. Further, claims 2-8 now presented contain only those limitations as originally filed and this amendment does not narrow the scope of claims 2-8 within the meaning of *Festo*.²

Independent claim 18 has been added. Claim 18 recites limitations similar to independent claim 1 combined with claims 3 and 5 but in different words. No new matter has been added. The Applicant respectfully submits that newly added independent claim 18 is in a condition for allowance which allowance is respectfully requested.

Newly added dependent claims 19-21 recite limitations similar to claims 2, 7, and 8 respectively. Since dependent claims 19-21 contain all the limitations of the independent claim 18, claims 19-21 should be allowable as well, which allowance is respectively requested. No new matter has been added.

CONCLUSION

The remaining cited references have been reviewed and are not believed to effect the patentability of the claims as amended.

In this Response, Applicant has amended certain claims. In light of the Office Action, Applicant believes these amendments serve a useful clarification purpose, and are desirable for clarification purposes, independent of patentability. Accordingly, Applicant respectfully submits that the claim amendments do not limit the range of any permissible equivalents.

¹ *Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co., Ltd.*, No. 00-1543 (122 S. Ct. 1831; 2002 U.S. LEXIS 3818; 62 U.S.P.Q.2D (BNA) 1705)(Decided May 28, 2002).

² *Ibid.*

Applicant acknowledges the continuing duty of candor and good faith to disclosure of information known to be material to the examination of this application. In accordance with 37 CFR § 1.56, all such information is dutifully made of record. The foreseeable equivalents of any territory surrendered by amendment is limited to the territory taught by the information of record. No other territory afforded by the doctrine of equivalents is knowingly surrendered and everything else is unforeseeable at the time of this amendment by the Applicant and his attorneys.

Applicant respectfully submits that all of the grounds for rejection stated in the Examiner's Office Action have been overcome, and that all claims in the application are allowable. No new matter has been added. It is believed that the application is now in condition for allowance, which allowance is respectfully requested.

PLEASE CALL the undersigned if that would expedite the prosecution of this application.

Respectfully Submitted,

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By: 

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